

MONDAY, APRIL 22, 1985

THIRTY-EIGHTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Dr. J. B. Miller, Pleasant Heights Baptist Church, Columbia, Tennessee.

Representative Napier led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 99

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 314, 319, 351, 397, 706, 707, 865, 1004 and 1066; all signed by

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the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 314, 319, 351, 397, 706, 707, 865, 1004 and 1066; for his action.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 197, 213, 512, 525, 586, 587, 722 and 727; also, Senate Joint Resolutions Nos. 98, 99, 105, 106, 108, 114, 115, 117, 118 and 119; all for signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 197, 213, 512, 525, 586, 587, 722 and 727; and Senate Joint Resolutions Nos. 98, 99, 105, 106, 108, 114, 115, 117, 118 and 119.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 197, 474, 484, 565, 582, 631, 655, 1065, 1069, 1070, 1071, 1072 and 1073; House Resolution No. 24; and House Joint Resolutions Nos. 142, 144, 180, 202, 204, 205, 206, 207, 208, 210, 211, 213, 214, 215, 216, 217, 218, 219, 220, 221, 224, 225, 228, 229, 230, 231, 233, 234, 237 and 240; and find same correctly enrolled and ready for the signatures of the Speakers.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 197, 474, 484, 565, 582, 631, 655, 1065, 1069, 1070, 1071, 1072 and 1073; House Resolution No. 24; and House Joint Resolutions Nos. 142, 144, 180, 202, 204, 205, 206, 207, 208, 210, 211, 213, 214,

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215, 216, 217, 218, 219, 220, 221, 224, 225, 228, 229, 230, 231, 233, 234, 237 and 240.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bills Nos. 110, 162, 256, 259, 260, 279, 317, 318, 341, 354, 388, 465, 480, 494, 501, 506, 527, 548, 566, 607, 617, 656, 672, 710, 714, 857, 903, 985 and 1058; and House Joint Resolutions Nos. 105, 198, 201, 209, 226, 227, 238, 239, 260, 270 and 274 with his approval.

**WILLIAM H. INMAN,**  
Counsel to the Governor.

**CALENDAR**

House Bill No. 696--To set holding time, scrap jewelry.

On motion, House Bill No. 696 was made to conform with Senate Bill No. 739.

On motion, Senate Bill No. 739, on same subject, was substituted for House Bill No. 696.

Mr. West moved that Senate Bill No. 739 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 739 by adding the following sentence to the end of the amendatory language of Section 1:

Provided however, the provisions of this section shall not apply to persons or corporations engaged in the reclamation of precious metals through the reprocessing of used film or other similar materials which in their original form contain precious metals but were not intended to be items of jewelry, or become antiques or be marketed exclusively for the precious metals contained therein.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 739, as amended, passed its third and final consideration by the following vote:

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Ayes . . . . .	98
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

House Bill No. 327--To provide for presumption of ownership, highway right-of-way.

On motion, House Bill No. 327 was made to conform with Senate Bill No. 640.

On motion, Senate Bill No. 640, on same subject, was substituted for House Bill No. 327.

Mr. Clark (Sumner) moved that Senate Bill No. 640 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	63
Noes . . . . .	33

Representatives voting aye were: Brewer, Buck, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Duer, Ellis, Frensley, Gafford, Garrett, Harrill, Hassell, Hillis, Hobbs, Hurley, Ivy, Jared, Jones, Kent, Kernell, King, Love, McAfee, McCroskey, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Nance, Napier, Peroulas, Phillips, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stafford, Swann, Tankersley, Treadway, Turner (Hamilton), Turner, L. (Shelby), Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Yelton --63.

Representatives voting no were: Bell, Bewley, Bivens, Bragg, Burnett, Byrd, Cross, Darnell, Davis (Cocke), Dixon, Gill, Henry, Huskey, Kisber, Lawson, Miller, Moody, Murray, Naifeh, Pruitt, Rhinehart, Robinson (Washington), Shirley, Stallings, Starnes, Tanner,

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Turner, C. (Shelby), Ussery, West, Winningham, Wix, Work and Mr. Speaker McWherter--33.

A motion to reconsider was tabled.

House Bill No. 718--To make certain provisions, inmate furloughs.

On motion, House Bill No. 718 was made to conform with Senate Bill No. 26.

On motion, Senate Bill No. 26, on same subject, was substituted for House Bill No. 718.

Mr. Henry moved that Senate Bill No. 26 be passed on third and final consideration.

Mr. Cobb moved the previous question, which motion failed by the following vote:

Ayes . . . . .	60
Noes . . . . .	33
Present and not voting . . . . .	3

Representatives voting aye were: Bewley, Buck, Burnett, Chiles, Clark (Sumner), Cobb, Collier, Crain, Cross, Curlee, Darnell, Davis (Cocke), Davis (Knox), Drew, Duer, Ellis, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Kent, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Nance, Napier, Peroulas, Phillips, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Treadway, Turner (Hamilton), Ussery, Webb, Whitson, Williams, Winningham, Wix, Wood and Yelton--60.

Representatives voting no were: Bell, Bivens, Bragg, Brewer, Clark (Davidson), Covington, Davidson, Davis (Gibson), DeBerry, Ellis, Dixon, Jared, Jones, King, Kisber, Lawson, Miller, Murphy, Murray, Naifeh, Pruitt, Rhinehart, Robinson (Davidson), Shirley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Wolfe, Work and Mr. Speaker McWherter--33.

Representatives present and not voting were: Garrett, Kernell and Love.

Mr. Jared moved the previous question, which motion failed by the following vote:

Ayes . . . . .	63
Noes . . . . .	31
Present and not voting . . . . .	1

Representatives voting aye were: Bewley, Bivens, Buck, Chiles, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davis

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(Cocke), Davis (Gibson), Davis (Knox), DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore (Shelby), Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Starnes, Swann, Tankersley, Treadway, Turner (Hamilton), Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wix and Wood--63

Representatives voting no were: Bell, Bragg, Brewer, Burnett, Byrd, Clark (Davidson), Cobb, DeBerry, Drew, Gaia, Jones, King, Kisber, Lawson, Love, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Phillips, Robinson (Davidson), Shirley, Stallings, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), West, Wolfe, Work and Mr. Speaker McWherter--31.

Representative present and not voting was: Kernell--1.

Mr. Henry, moved the previous question, which motion prevailed by the following vote:

Ayes . . . . .	76
Noes . . . . .	20

Representatives voting aye were: Bewley, Bivens, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Ivy, Jared, Kent, Lawson, Love, May, McCroskey, McNally, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Starnes, Swann, Tankersley, Treadway, Turner (Hamilton), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work and Yelton--76

Representatives voting no were: Bell, Bragg, Brewer, Byrd, Davidson, DeBerry, Dills, Dixon, Jones, Kernell, King, Kisber, Miller, Murray, Naifeh, Shirley, Stallings, Tanner, Turner, C. (Shelby) and Turner, L. (Shelby)--20.

Thereupon Senate Bill No. 26, passed its third and final consideration by the following vote:

Ayes . . . . .	67
Noes . . . . .	31

Representatives voting aye were: Bewley, Bivens, Buck, Burnett, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Crain, Cross, Curlee, Davis (Cocke), Davis (Knox), DePriest, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Ivy, Kent, Kernell, Lawson, Love, May, McCroskey, McNally,

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Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Swann, Tankersley, Treadway, Turner (Hamilton), Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood and Yelton--31.

Representatives voting no were: Bell, Bragg, Brewer, Byrd, Clark (Davidson), Covington, Darnell, Davidson, Davis (Gibson), DeBerry, Dills, Dixon, Hobbs, Jared, Jones, King, Kisber, Miller, Moore (Shelby), Naifeh, Nance, Shirley, Stallings, Starnes, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Wix, Work and Mr. Speaker McWherter--31.

A motion to reconsider was tabled.

House Bill No. 304--To regulate housing of certain criminals.

Mr. Wood moved that House Bill No. 304 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

### AMENDMENT NO. 1

Amend House Bill No. 304 by deleting the body of said bill in its entirety and substituting in lieu thereof, the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-134 is amended by deleting subsections (i) and (j) in their entirety and by adding the following language as appropriately designated subsections:

(i) Any person who was transferred under this Section and who was more than fourteen (14) years of age and less than sixteen (16) years of age at the time of the offense and is subsequently convicted and committed, shall be housed in a juvenile correctional facility, until he reaches the age of sixteen (16) at which time he may be transferred to an adult facility.

(j) Any person who is transferred under this Section and who was sixteen (16) years of age or older may be placed in a juvenile correctional facility upon the recommendation of the committing court and the Classification Division of Adult Services in the Department of Correction and with the concurrence of the Superintendent of the juvenile correctional facility.

(k) If the Superintendent of the juvenile correctional facility determines that the person in his custody (1) is in need of a more secure environment and (2) may be harmful to the community, staff or institutional population, the Superintendent may recommend to the Commissioner of Correction the person be transferred to an adult facility. The Commissioner shall have final approval.

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(1) Lake County Regional Correctional Facility and the Tennessee Prison for Women shall be designated as the only two adult institutional facilities to house persons committed under this Section. These facilities designated shall house such person separate from adult inmates or provide placement which reasonably assures the protection of the person.

On motion, the amendment was adopted.

Thereupon, House Bill No. 304, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 98  
Noes . . . . . 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

Senate Bill No. 1048--To authorize tax, certain products, Giles County.

Mr. DePriest moved that Senate Bill No. 1048 be passed on third and final consideration.

Mr. Napier moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1048 as follows:

Section 2 of the act shall be amended by substituting seven and one-half cents (.07 1/2) per ton for fifteen cents (.15) per ton.

Mr. DePriest moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:



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Ayes . . . . .	38
Noes . . . . .	28
Present and not voting . . . . .	20

Representatives voting aye were: Cobb, Collier, Crain, Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Hillis, Hobbs, Hurley, Ivy, Kernell, King, Lawson, McCroskey, McNally, Moody, Murray, Phillips, Ridgeway, Robinson (Davidson), Severance, Stallings, Tanner, Turner, B. (Hamilton), Turner, L. (Shelby), Ussery, West, Williams, Wolfe and Work--38.

Representatives voting no were: Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Cross, Frensley, Hassell, Jones, Kent, May, Montgomery, Naifeh, Nance, Napier, Peroulas, Robinson (Hamilton), Shirley, Swann, Tankersley, Treadway, Turner, C. (Shelby) and Whitson--28.

Representatives present and not voting were: Curlee, Davidson, Davis (Knox), Henry, Huskey, Jared, Kisber, Love, McAfee, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Rhinehart, Scruggs, Stafford, Webb, Wheeler, Wood and Yelton--20.

Thereupon, Senate Bill No. 1048, passed its third and final consideration by the following vote:

Ayes . . . . .	53
Noes . . . . .	9
Present and not voting . . . . .	26

Representatives voting aye were: Bivens, Bragg, Buck, Byrd, Cobb, Collier, Crain, Darnell, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Hillis, Hobbs, Hurley, Ivy, Jared, Kernell, King, Kisber, Lawson, McCroskey, McNally, Moody, Murphy, Murray, Naifeh, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Severance, Stafford, Stallings, Starnes, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Wheeler, Williams, Wix, Wolfe, Work and Yelton--53

Representatives voting no were: Bell, Clark (Davidson), Nance, Napier, Peroulas, Scruggs, Shirley, Treadway and West--9.

Representatives present and not voting were: Bewley, Chiles, Covington, Cross, Curlee, Davis (Knox), Frensley, Hassell, Henry, Huskey, Kent, Love, May, McAfee, Miller, Moore (Shelby), Moore (Sullivan), Robinson (Hamilton), Swann, Tankersley, Turner, B. (Hamilton), Webb, Whitson, Winningham, Wood and Mr. Speaker McWherter--26.

A motion to reconsider was tabled.

House Bill No. 1022--To make certain provisions, higher education institutions.

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On motion, House Bill No. 1022 was made to conform with Senate Bill No. 519.

On motion, Senate Bill No. 519, on same subject, was substituted for House Bill No. 1022.

Mr. Kisber moved that Senate Bill No. 519 be passed on third and final consideration.

Mr. Kisber moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 519 by deleting Section 1 in its entirety and substituting the following new Section 1:

SECTION 1. Tennessee Code Annotated, Section 48-3-301 is amended by deleting the following language at the end of Subdivision (13) (B) which reads:

"include a pledge of one or more endowment funds held by, or on behalf of, the institution, or the income therefrom."

and substituting therefor the following new language:

"require that a borrowing institution shall repay all amounts received by it for such projects within two (2) years from the date such funds are received by it."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 519, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	99
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

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A motion to reconsider was tabled.

House Bill No. 859--To enact Regional Reciprocal Banking Act.

On motion, House Bill No. 859 was made to conform with Senate Bill No. 936.

On motion, Senate Bill No. 936, on same subject, was substituted for House Bill No. 859.

Mr. Cobb moved that Senate Bill No. 936 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 936 by deleting subsection (e) from the amendatory language of Section (5), as amended, and by substituting instead the following:

(e) Notwithstanding the provisions of Section 2(10) and 2(13) of this Act, any bank holding company which shall have its principal place of business (as defined in Section 2(10) of this Act) in a state other than a state within the region, but which on January 1, 1985 owns 100% of a Tennessee bank subsidiary, and which after that date is not controlled by a bank or bank holding company other than a regional bank holding company or a Tennessee bank holding company, shall be considered to have its principal place of business for purposes of this Act in the state in the region in which the total deposits held by the banking offices of such bank holding company's bank subsidiaries are the largest. Such bank holding company shall be permitted to acquire and retain Tennessee banks or Tennessee bank holding companies after the effective date of this Act to the same extent, subject to the same limitations and following the same procedures as a regional bank holding company, provided such out-of-state bank holding company could be legally acquired and retained by the Tennessee bank holding company or the Tennessee bank sought to be acquired and retained, and further provided that the proportion of deposits held by bank subsidiaries of such out-of-state bank holding company not located within the region, as compared with deposits of bank subsidiaries located within the region, is not increased as the result of the acquisition of or merger with a bank or bank holding company after the effective date of this Act. In the event that the deposits are increased by acquisition or merger in excess of the proportion established by this subsection 5(e) then the out-of-state bank holding company shall as soon as practical and, in all events, within one (1) year after such event divest itself of control of such Tennessee bank holding company and Tennessee banks acquired pursuant to this subsection.

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On motion, the amendment was adopted.

Mr. Kisber moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 936 by inserting in Section 6 between the first and second sentences the following:

"In addition, the Commissioner, by rule or regulation, shall require a regional bank holding company to furnish, at the time the reports required by the preceding sentence are furnished to the Commissioner, a report specifying the number of banking offices in Tennessee controlled by such regional bank holding company at the end of the preceding calendar year, the amount of deposits in such banking offices on such date, and the amount of loans outstanding at such date from the bank subsidiaries of such regional bank holding companies to individuals, partnerships, corporations or governmental entities residing or primarily located in Tennessee."

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 936 by deleting the following from Section 2 (g): "a. A proposed bank has filed an application with the United States Comptroller of the Currency or the Commissioner and such application has been accepted for filing; or"

and renumbering the subsequent sections.

Mr. Wheeler moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	62
Noes . . . . .	26
Present and not voting . . . . .	3

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Chiles, Clark (Davidson), Clark (Sumner), Collier, Covington, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Knox), Dixon, Drew, Frensley, Gafford, Gaia, Garrett, Hassell, Henry, Hurley, Jared, Jones, Kent, Kernell, King, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Peroulas, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Williams, Wolfe and Wood--62.

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Representatives voting no were: Bragg, Buck, Burnett, Copeland, Crain, Cross, Davis (Gibson), DePriest, Dills, Gill, Harrill, Hillis, Hobbs, Ivy, Kisber, Moody, Moore (Shelby), Murray, Phillips, Rhinehart, Stallings, Treadway, Winningham, Wix, Work, and Yelton --26.

Representatives present and not voting were: Byrd, DeBerry and Robinson (Hamilton)--3.

Thereupon Senate Bill No. 936, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	82
Noes . . . . .	14
	1

Representatives voting aye were: Bewley, Bivens, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Curlee, Darnell, Davidson, Davis (Gibson), Davis (Knox), DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Henry, Hobbs, Hurley, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Peroulas, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--82.

Representatives voting no were: Bell, Bragg, Cross, Davis (Cooke), Harrill, Hillis, Ivy, McAfee, Moore (Shelby), Murray, Phillips, Rhinehart, Stallings, Treadway--14.

Representative present and not voting was: Byrd--1.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

House Bill No. 898--To enact Regional Reciprocal Savings Institutions Act.

On motion, House Bill No. 898 was made to conform with Senate Bill No. 937.

On motion, Senate Bill No. 937, on same subject, was substituted for House Bill No. 898.

Mr. Tanner moved that Senate Bill No. 937 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 937 by adding the following language as new sections immediately preceding the effective date section to be appropriately numbered, renumbering the effective date section accordingly:

SECTION \_\_\_\_\_. HB 354/SB64, Public Chapter \_\_\_\_\_, is amended by deleting in its entirety the amendatory language of Section 2 which added new Section 45-11-107 (b) and by substituting instead the following language:

(b) If the resulting institution is a savings and loan association, or bank it may continue to operate as branch offices all offices of the converting institution in existence or applications filed for branches pending approval by the appropriate authority on April 23, 1985. For the purpose of Tennessee Code Annotated 45-3-301 and Title 45, Chapter 2, the date chartered will be the date the converting institution was chartered prior to conversion.

SECTION \_\_\_\_\_. Notwithstanding any other provision of law to the contrary, a resulting institution may create and operate branch banks or subsidiaries in any county where the merging or converting association had branch offices or subsidiaries in existence or had applications for branches filed pending approval by the appropriate authority on April 23, 1985.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 937, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	3
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representatives voting no were: Cross, McAfee and Murray--3.

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Representative present and not voting was: Moore (Shelby)--1.

A motion to reconsider was tabled.

House Bill No. 767--To provide for temporary permits, motor vehicles.

Mr. Rhinehart moved that House Bill No. 767 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	99
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

A motion to reconsider was tabled.

House Bill No. 874--To prohibit control, certain deposit-taking institutions.

On motion, House Bill No. 874 was made to conform with Senate Bill No. 423.

On motion, Senate Bill No. 423, on same subject, was substituted for House Bill No. 874.

Mr. Wheeler moved that Senate Bill No. 423 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	0
Present and not voting . . . . .	5

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Ivy, Jared, Kent, Kernell, King, Kisber,

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Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives present and not voting were: DeBerry, Dixon, Jones, Moore (Shelby) and Shirley--5.

A motion to reconsider was tabled.

House Bill No. 782--To amend Uniform Administrative Procedures Act.

On motion, House Bill No. 782 was made to conform with Senate Bill No. 957.

On motion, Senate Bill No. 957, on same subject, was substituted for House Bill No. 782.

Mr. King moved that Senate Bill No. 957 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	97
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work and Yelton--97.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate



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Bill No.:

251--To regulate School Bond Authority; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

House Bill No. 170--To continue school bond authority.

On motion, House Bill No. 170 was made to conform with Senate Bill No. 251.

On motion, Senate Bill No. 251, on same subject, was substituted for House Bill No. 170.

Mr. King moved that Senate Bill No. 251 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	98
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

House Joint Resolution No. 263--Relative to honoring Loy L. Smith.

Mr. Davis (Knox) moved that House Joint Resolution No. 263 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	98
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia,

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Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

### **CONSENT CALENDAR**

#### **OBJECTION**

An objection was filed to the following resolution on the Consent Calendar:

Mr. Murphy objected to House Joint Resolution No. 273.

Under the rules, House Joint Resolution No. 273 was placed at the foot of the Calendar for Wednesday, April 24, 1985.

House Joint Resolution No. 236--Relative to urging NASCAR to restore Grand National racing to Nashville.

House Joint Resolution No. 265--Relative to commending Helen Redick.

House Joint Resolution No. 266--Relative to congratulating Ernest E. Robinson.

House Joint Resolution No. 267--Relative to honoring Joel Shore.

House Joint Resolution No. 268--Relative to commending James Marolyn Tucker.

House Joint Resolution No. 269--Relative to honoring Judy Carter, Jane Samuels and Wanda Sue Ray.

House Joint Resolution No. 271--Relative to congratulating Crockett County High School cheerleaders.

House Joint Resolution No. 276--Relative to honoring Decatur County Riverside High School boys basketball team.

House Joint Resolution No. 277--Relative to congratulating Frank Hughes High School basketball team.

House Joint Resolution no. 278--Relative to congratulating Scotts Hill High School boys' basketball team.

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House Bill No. 1077--To amend Road Law, Dickson County.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, and all House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes . . . . .	98
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

Mr. Murphy, moved that the rules be suspended for the purpose of considering House Joint Resolution No. 273 out of order, which motion prevailed.

House Joint Resolution No. 273--Relative to honoring Representative Dana Elizabeth Moore.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Murphy moved that House Joint Resolution No. 273 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	98
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt,

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Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

Mr. Work moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 281 out of order, which motion prevailed.

House Joint Resolution No. 281--Relative to honoring Frances B. Jackson--By Work.

Mr. Work moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 281, which motion prevailed.

Mr. Work moved that House Joint Resolution No. 281 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	99
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 268--To make certain provisions, athletic trainees.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 268 by deleting the period "." at the end of the amendatory language of Section 2 and by substituting instead the following language:

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" , provided such other state extends the same privilege to qualified athletic trainers who are residents of Tennessee."

Mr. Gill moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 377**

Senate Bill No. 377--To regulate issuance, placards, handicapped.

Mr. Yelton moved that the motion to reconsider Senate Bill No. 377 be lifted from the table, which motion prevailed.

Mr. Yelton moved that the House reconsider its action in passing Senate Bill No. 377 on third and final consideration, as amended, which motion prevailed.

Mr. Yelton moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Yelton moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 377, passed its third and final consideration by the following vote:

Ayes . . . . .	99
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell,

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Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF AMENDED BILL**

Senate Bill No. 562--To regulate certain motor vehicle registrations.

Mr. Yelton moved that the House refuse to recede from its action in adopting Amendments Nos. 2, 4, 5 and 6 to Senate Bill No. 562, which motion prevailed.

Mr. McCroskey moved that House Bill No. 538 be deferred until Wednesday, April 24, 1985, which motion prevailed.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1008--To regulate administration of state property.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1008 by deleting from the amendatory language of Section 1 the words "appraisal and".

Mr. Naifeh moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . .	97
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson

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(Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

### SECOND ROLL CALL

A roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work and Yelton--98.

Mr. Tanner moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 121 out of order, which motion prevailed.

Senate Joint Resolution No. 121--Relative to congratulating Coach Jim Whitby and boys' basketball team.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Tanner, the resolution was concurred in.

A motion to reconsider was tabled.

Ms. Moore (Sullivan) moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 111 out of order, which motion prevailed.

Senate Joint Resolution No. 111--Relative to honoring Paul Newman.

On motion, the rules were suspended for the immediate consideration of the resolution.

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On motion of Ms. Moore (Sullivan), the resolution was concurred in.

A motion to reconsider was tabled.

### **INTRODUCTION OF RESOLUTIONS**

House Joint Resolution No. 279--Relative to study, state aid for the disabled--By Turner (Hamilton), Yelton, McNally, Kernell, Starnes, Montgomery, Burnett and Murphy.

The Speaker referred House Joint Resolution No. 279 to the Committee on General Welfare.

House Joint Resolution No. 280--Relative to study indigent health care--By Starnes.

The Speaker referred House Joint Resolution No. 280 to the Committee on General Welfare.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 178--To regulate school attendance.

Passed first consideration.

Senate Bill No. 258--To make certain provisions, property taxes.

Passed first consideration.

Senate Bill No. 286--To regulate sales and use tax, amusements.

Passed first consideration.

Senate Bill No. 412--To regulate insanity defense, criminal trials.

Passed first consideration.

Senate Bill No. 606--To regulate joint custody preference, minor children.

Passed first consideration.

Senate Bill No. 610--To regulate compensatory damages, uninsured motorist coverage.

Passed first consideration.

Senate Bill No. 714--To regulate certain secured transactions.

Passed first consideration.



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Senate Bill No. 792--To regulate taxation, wine production.

Passed first consideration.

Senate Bill No. 869--To regulate Fiscal Review Committee.

Passed first consideration.

Senate Bill No. 972--To regulate conduct of election, telephone cooperatives.

Passed first consideration.

Senate Bill No. 977--To regulate subsidy, County Correction Incentives Act.

Passed first consideration.

Senate Bill No. 1022--To regulate removal of vegetation, private property, certain counties.

Passed first consideration.

**HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 1079--To make certain provisions, Oneida.

Passed second consideration and held without reference.

House Bill No. 1080--To create Municipal Court, Dayton.

Passed second consideration and held without reference.

House Bill No. 1083--To amend Charter, Lebanon.

Passed second consideration and held without reference.

House Bill No. 1084--To amend Charter, Lebanon.

Passed second consideration and held without reference.

House Bill No. 1085--To regulate taxation, Oneida Special School District.

Passed second consideration and held without reference.

**REPORT OF DELAYED BILLS COMMITTEE**

The undersigned members of the Delayed Bills Committee have

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approved the following bill: House Bill No. 1036.

Ned R. McWherter

Jimmy Naifeh

James M. Henry

**LOCAL BILLS REFERRED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1079, 1080 and 1085.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, April 24, 1985: House Bills Nos. 1079, 1080 and 1085.

GILL, Chairman.

**RULES SUSPENDED**

Mr. Gill moved that Rule No. 48 be suspended in order to set a Calendar for Wednesday and Thursday, which motion prevailed.

**NOTICE PURSUANT TO RULE NO. 58**

Pursuant to Rule No. 58, sponsors gave notice of their intentions to consider the following measures from the Senate on Wednesday, April 24, 1985:

House Bill No. 410--Dixon

House Bill No. 522--Cobb

House Bill No. 540--Cobb

House Bill No. 1009--Bragg

**SPONSOR ADDED**

Without objection, the rules were suspended to allow the following member to add his name as sponsor to the bill as indicated below, the prime sponsor having agreed to such addition:

House Bill No. 761--Rhinehart.

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**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

92--Relative to alleviating economic crises, farmers;

93--Relative to transferring Phipps Bend Nuclear Site, Hawkins County;

127--Relative to designating bridge over Bent Creek, Hamblen County;

128--Relative to designating bridge over Lick Creek, Greene County;

161--Relative to reinstituting certain flights, Knoxville;

242--Relative to designating May 5, 1985 "Ramp Festival Day"; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

72--To allow auctioneers awards, Court Costs;

151--To continue southern interstate nuclear compact;

155--To continue state funding board;

165--To regulate licensing board of the healing arts;

177--To continue council on pensions and retirement;

181--To continue public records commission;

1068--To regulate sale of fireworks, certain counties; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

735--To repeal Chapter 148, Private Acts, 1975; substituted for

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Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

96--Relative to maintaining funding, U.S. Forest Service Silvicultural Lab, Sewanee;

116--Relative to Textile and Apparel Trade Enforcement Act of 1985; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

74--To amend Tennessee Employment Security Law;

145--To regulate Insurance Committee;

193--To regulate contracts, future funeral services;

250--To regulate Industrial Development Authority;

481--To regulate fee collections, certain regulatory boards;

623--To regulate collection of debt, general sessions court;

712--To regulate health and accident insurance policies, professionals;

750--To make certain provisions, naming and appointment of executors;

1014--To create Volunteer Public Education Trust Fund of 1985; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENGROSSED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have

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carefully examined House Bills Nos. 304, 767 and 1077; House Joint Resolutions Nos. 236, 263, 265, 266, 267, 268, 269, 271, 273, 276, 277, 278 and 281; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 2:00 p.m., Wednesday, April 24, 1985.